

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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BIN GAO,

Plaintiff,

- against -

ABC CORP., et al.,

Defendants.
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ORDER

18-CV-2708 (ARR) (JO)

James Orenstein, Magistrate Judge:

To ensure compliance with the requirements of both *Mei Xing Yu v. Hasaki Rest., Inc.*, 2019 WL 6646618 (2d Cir. Dec. 6, 2019) and *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015), I respectfully direct the parties as follows. In the event any defendant makes an offer of judgment under Federal Rule of Civil Procedure 68, the parties must promptly file, before filing any notice of acceptance of that offer, a notice that discloses all terms to which the parties have agreed (formally or otherwise, and regardless of whether the agreement is reduced to writing) that are not explicitly disclosed in the Rule 68 offer. The required notice must disclose all terms, including but not limited to the scope of any releases, any commitments regarding confidentiality or non-disparagement, and the apportionment of attorneys' fees. Any purported agreement that the parties fail to disclose in conformity with the foregoing requirements will be deemed void and unenforceable.

SO ORDERED.

Dated: Brooklyn, New York
December 13, 2019

_____/s/
James Orenstein
U.S. Magistrate Judge